

Gary R. Selvin, State Bar No. 112030
SELVIN WRAITH HALMAN LLP
505 14th Street, Suite 1200
Oakland, CA 94612
Telephone: (510) 874-1811
Facsimile: (510) 465-8976
E-mail: gselvin@selvinwraith.com

Attorneys for Defendants and Counter-Claimants
Sara F. Cannizzaro, Jefferson Building, Inc.,
Wharf Properties, Inc. and Frando Corporation

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO

CENTURY SURETY COMPANY, an Ohio
corporation,

Plaintiff,

v.

SARA F. CANNIZZARO, as trustee of the Sara
F. Cannizzaro Living Trust; JEFFERSON
BUILDING, INC., a California corporation;
WHARF PROPERTIES, INC., a California
corporation; FRANDO CORPORATION, a
California corporation,

Defendant.

AND RELATED COUNTER CLAIM

CASE NO.: 3:08-CV-04590-CRB

**STIPULATION RE DISMISSAL OF
DEFENDANTS SARA F. CANNIZZARO,
JEFFERSON BUILDING, INC., WHARF
PROPERTIES, INC. AND FRANDO
CORPORATION; ORDER**

Case Assigned for all purposes to:
Hon. Charles R. Breyer, Courtroom 8, 19th Floor

Complaint Filed: October 2, 2008

CENTURY SURETY COMPANY, Plaintiff and Counter-Defendant, and SARA F.
CANNIZZARO, as trustee of the Sara F. Cannizzaro Living Trust; JEFFERSON BUILDING, INC.,
a California corporation; WHARF PROPERTIES, INC., a California corporation; and FRANDO
CORPORATION, a California corporation, Defendants and Counter-claimants, have negotiated a
settlement agreement in this action, recognizing that the issues in this case have been mooted in that
other insurance carriers accepted the defense and indemnify of defendants in the action styled
Hartford Ins. Co. v. Frando, et al.

Therefore pursuant to Rule 41 of the Federal Rules of Civil Procedure, Plaintiff and Counter-
Defendant Century Surety Company and Defendants and Counter-Claimants hereby stipulate to the

1 dismissal of the entire action without prejudice.

2
3 **IT IS SO STIPULATED.**

4
5 Dated: June 18, 2009

SELVIN WRAITH HALMAN LLP

6
7
8 By: /s/ Gary R. Selvin

Gary R. Selvin

505 14th Street, Suite 1200

Oakland, CA 94612

Telephone: (510) 874-1811

Facsimile: (510) 465-8976

E-mail: gselvin@selvinwraith.com

Attorneys for Defendants and Counter-Claimants
Sara F. Cannizzaro, Jefferson Building, Inc., Wharf
Properties, Inc. and Frando Corporation

9
10
11
12
13
14 Dated: June 18, 2009

WOOLLS & PEER

15
16
17 By: /s/ Gregory Bernard Scher

Mr. Gregory Bernard Scher

One Wilshire Blvd., 22nd Floor

Los Angeles, CA 90017

Telephone No.: (213) 629-1600

Fax No.: (213) 629-1660

Email: gscher@woollspeer.com

Attorneys for Plaintiff and Counter-Defendant
Century Surety Company

18
19
20
21
22
23 **IT IS SO ORDERED.**

24
25 Dated: June 18, 2009

26 Charles R. Breyer
27 Judge, United States District Court
28

60517.doc

